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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/776,845	02/11/2004	Ronald R. Woller	8S08.1-190	3025
23506	7590	07/11/2005	EXAMINER	
GARDNER GROFF, P.C. 2018 POWERS FERRY ROAD SUITE 800 ATLANTA, GA 30339			THOMPSON, HUGH B	
			ART UNIT	PAPER NUMBER
			3634	

DATE MAILED: 07/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/776,845	WOLLER ET AL.
	Examiner Hugh B. Thompson II	Art Unit 3634

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 27 June 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-17, 19 and 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-17, 19 and 20 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input checked="" type="checkbox"/> Other: <u>4 sheets of definitions</u> . |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 4, 5, 12, and 13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With respect to claims 4 and 12, it is unclear as to how the claims further limit the “rigid” recitations of claims 1 and 8, respectively. What is the difference between “rigid” and “substantially rigid”? It would appear that the phrase “substantially rigid” is something less than rigid.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-17, 19, and 20, are rejected under 35 U.S.C. 102(b) as being anticipated by Woller #5,971,104. Woller, as recited in column 7, lines 26-47, discloses a pair of foot engaging members/straps (stirrups) 96, secured to support members 74 of platform 26 by means of fasteners, the straps having a curved configuration depending toward the platform 26, the straps also being made of stiff/*rigid* materials causing them to stand up and fabricated from synthetic polymers, i.e., a wide array of plastics.

Response to Arguments

Applicant's arguments filed in the Amendment of 6-27-05 have been fully considered but they are not persuasive. The applicants' attention is drawn to the attached definitions of stiff, rigid, and synthetic polymers. Woller, as recited in column 7, lines 41-47, clearly states that the stirrups/straps 96 are made of synthetic polymers, not limited to, i.e., nylon, having a certain "stiffness that causes the strap to stand up..." Webster's 10th edition, among other definitions, defines the term "stiff" as synonymous with the term "rigid". The term "rigid", among other definitions, is defined as "appearing stiff..." Further, synthetic polymers, as defined by "Wikipedia", an on-line encyclopedia, are plastics that include, amongst other types, molded plastics such as PVC. As such, the addition of the term "rigid" to the independent claims, fails to further distinguish the instant invention from Woller-104. The applicants' clearly attempt to define the foot-engaging member of the instant invention over Woller-104 by reciting a material property versus a structural limitation such as "*a curved member pivotally attached to a support member that receives and secures a foot of a user thereof in a locked or use position.*" Absent additional claim language drawn to the structure of the stirrup relative to the platform, the Woller-104 reference "reads-on" the claim language as amended.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

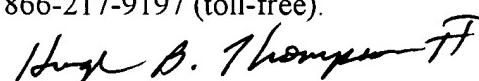
Art Unit: 3634

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hugh B. Thompson II whose telephone number is (571) 272-6837. The examiner can normally be reached on Monday thru Friday 9 am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on (571) 272-6777. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Hugh B. Thompson II
Primary Examiner
Art Unit 3634

July 6, 2005

Synthetic polymer

From Wikipedia, the free encyclopedia.

Synthetic polymers are often referred to as "plastics", such as the well-known polyethylene and nylon. However, most of them can be classified in at least three main categories: thermoplastics, thermosets and elastomers.

Man-made polymers are used in a bewildering array of applications: food packaging, films, fibers, tubing, pipes, etc. The personal care industry also uses polymers to aid in texture of products, binding, and moisture retention (e.g. in hair gel and conditioners).

Examples

A non-exhaustive list of these ubiquitous materials includes:

- acrylonitrile butadiene styrene (ABS)
- polyamide (PA)
- polybutadiene
- poly(butylene terephthalate) (PBT)
- polycarbonate (PC)
- poly(ether sulphone) (PES, PES/PEES)
- poly(ether ether ketone)s (PEEK, PES/PEEK)
- polyethylene (PE)
- poly(ethylene glycol) (PEG)
- poly(ethylene terephthalate) (PET)
- polyimide
- polypropylene (PP)
- polytetrafluoroethylene (PTFE)
- polystyrene (PS)
- styrene acrylonitrile (SAN)
- poly(trimethylene terephthalate) (PTT)
- polyurethane (PU)
- polyvinylchloride (PVC)
- polyvinylidenedifluoride (PVDF)
- poly(vinyl pyrrolidone) (PVP)

Brand names

These polymers are often better known through their brand names, for instance:

- Kevlar
- Kynar, e.g. PVDF
- Mylar, e.g. polyethylene terephthalate
- Nylon, e.g. polyamide 6,6
- Rilsan, e.g. polyamide 11 & 12
- Teflon, e.g. PTFE
- Ultem, e.g. polyimide
- Vectran
- Viton
- Zylon

Retrieved from "http://en.wikipedia.org/wiki/Synthetic_polymer"

Categories: Polymers

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right or just claim: **LEGAL** (< "authority") 3 : PROPER, FITTING (assured of his ~ place in history — *Brit. Duff*) — **right-ful-ness** *n*
right-hand \rit'-han'd *adj* (1592) 1 : situated on the right 2 : **RIGHT-HANDED** 3 : chiefly relied on (< "man")
right hand *n* (bef. 12c) 1 : a : the hand on a person's right side b : an indispensable person 2 : a : the right side b : a place of honor
right-hand-ed \rit'-han-dəd *adj* (14c) 1 : using the right hand habitually or more easily than the left; also : swinging from right to left (a ~ batter) 2 : relating to, designed for, or done with the right hand 3 : having the same direction or course as the movement of the hands of a watch viewed from in front: **CLOCKWISE** b : having a spiral structure of form that ascends or advances to the right (< "screw") (a ~ double helix of DNA) 4 : of a door: opening to the right away from one
right-handed *adv* — **right-hand-ed-ly** *adv* — **right-handed-ness** *n*
right-hand-er \rit'-han-dər *n* (1837) 1 : a blow struck with the right hand 2 : a right-handed person; esp: a right-handed pitcher
right-ism \rit'-izm *n*, often *cap* (1939) 1 : the principles and views of the Right 2 : advocacy of or adherence to the doctrines of the Right
right-ist \rit'-ist *n or adj*, often *cap* (1837) 1 : a member of the Right
right-ly \rit'-le *adv* (bef. 12c) 1 : in accordance with right conduct
FAIRLY; JUSTLY 2 : in the right or proper manner: **PROPERLY; FITTICLY**; 3 : according to truth or fact: **CORRECTLY; EXACTLY**
right-minded \rit'-min-dəd *adj* (ca. 1586) 1 : having a right or honest mind (a ~ citizen) 2 : right-minded-ness
right now *adv* (14c) 1 : **RIGHT AWAY** 2 : at present
righto \rit'-ō, \rit'-ō *n* (1896) — used to express cheerful concurrence, assent, or understanding
right-off *adv* (1790) : **RIGHT AWAY**: at once
right-of-way \rit'-ō-wā' *n, pl* **rights-of-way** also **right-of-ways** (1768) 1 : a legal right of passage over another person's ground 2 : a : the area over which a right-of-way exists b : the strip of land over which is built a public road c : the land occupied by a railroad (esp: for its main line) d : the land used by a public utility (as for a transmission line) 3 : a : a precedence in passing accorded to one vehicle over another by custom, decision, or statute b : the right of traffic to take precedence c : the right to take precedence over others (gave the bill the ~ in the Senate)
right on *adj* (1925) 1 : exactly correct — often used interjectionally to express agreement 2 : **usu** **right-on** : attuned to the spirit of the times
Right Reverend (15c) — used as a title for high ecclesiastical officials
right shoulder arms (1902) : a position in the manual of arms in which the butt of the rifle is held in the right hand with the barrel resting on the right shoulder; also: a command to assume this position
right-to-life \rit'-tō-līf' *adj* (1973) : opposed to abortion — **right-to-lifer** \rit'-līfər *n*
right-to-work *adj* (1949) : opposing or banning the closed shop and the union shop
right triangle *n* (1924) : a triangle having a right angle — see **TRIANGLE** illustration
right-ward \rit'-wôrd *adj* (1825) : being toward or on the right
right whale *n* (1725) : any of a family (Balaenidae) of baleen whales having very long, baleen, a large head, a stocky body, a smooth throat, and short broad rounded flippers

right wing *n* (1905) 1 : the rightmost division of a group or party 2 : **RIGHT** 8 — **right-wing** \rit'-wing', \rit'-wîng' *adj* — **right-wing-ed** \rit'-wing-ēd' *adj*
right-ly \rit'-le *adv*, *n, pl* **right-ies** (1949) : **RIGHT-HANDER** 2

rigid \rit'-id' *adj* [ME *rigide* fr. MF or L, MF, fr. L *rigidus*, fr. *rigere* to be stiff] (15c) 1 : deficient in or devoid of flexibility (< price controls>) (a ~ bar of metal) b : appearing stiff and unyielding (his face ~ with pain) 2 : a : inflexibly set in opinion b : strictly observed (adheres to a ~ schedule) 3 : firmly inflexible rather than lax or indulgent (a ~ disciplinarian) 4 : precise and accurate in procedure (< control of the manufacturing process>) 5 : of an airship: having the outer shape maintained by a fixed framework — **rig-id-ly** *adv*
RIGID, RIGOROUS, STRICT, STRINGENT mean extremely severe or stern. **RIGID** implies uncompromising inflexibility (*rigid* rules of conduct). **RIGOROUS** implies the imposition of hardship and difficulty (the *rigorous* training of recruits). **STRICT** emphasizes undeviating conformity to rules, standards, or requirements (*strict* enforcement of the law). **STRINGENT** suggests severe, tight restriction or limitation (*stringent* standards of admission). *syn* see in addition **STIFF**

rigid-i-ty \rit'-id-i-tē' *n* vb **rigid**; **fy-ing** *v* (1842) : to make rigid ~ to become rigid — **rigid-i-fi-ca-tion** \rit'-id-i-fā'kā-shən *n*
rigid-i-ty \rit'-id-i-tē' *n, pl* **rigid-i-ties** (1624) 1 : the quality or state of being rigid 2 : one that is rigid (as in form or conduct)
rig-ma-role \rit'-gā-mōr'lō *n* (after or obs. *ragman roll* long list catalog) (ca. 1736) 1 : confused or meaningless talk 2 : a complex and ritualistic procedure

rigor \rit'-gor' *n* [ME *rigour* fr. MF *rigueur*, fr. L *rigor*, lit. stiffness; fr. *rigere* to be stiff] (14c) 1 : a (1) : harsh inflexibility in opinion, temper, or judgment; severity (2) : the quality of being unyielding or inflexible: **STRICTNESS** (3) : severity of life: **AUSTERITY** b : an act or

instance of strictness, severity, or cruelty 2 : a tremor caused by a chill 3 : a condition that makes life difficult, challenging, or uncomfortable: esp: extremity of cold 4 : strict precision: **EXACTNESS** (logical ~) 5 : a obs: **RIGIDITY; STIFFNESS** b : rigidity or torpor of organs or tissue that prevents response to stimuli 6 : **rigid** *n* (1704) : rigidity in principle or practice — **rig-or-is-m** \rit'-gō,-rit-zm *n* (1704) : rigidity in principle or practice — **rig-or-is-t** \rit'-rist *n or adj* — **rig-or-is-tic** \rit'-gō,-rit'ik *adj* — **rig-or-ous** \rit'-ōs *adj* (1847) : temporary rigidity of muscles occurring after death — **rig-or-ous-ness** \rit'-ōs-n̄s *n* — **rig-or-ous-ly** *adv* — **rig-or-ous-ness** \rit'-ōs-n̄s *n* — **rig-or-ous-ly** *adv* (18c) 1 : manifesting, exercising, or favoring rigor; very strict 2 : a : marked by extremes of temperature or climate b : HARSH; SEVERE 3 : scrupulously accurate: **PRECISE** — *syn* see **ROID** — **rig-or-ous-ly** *adv* — **rig-or-ous-ness** *n* — **rig-our-ta-ble** \rit'-ūr-tā-bəl *n* [D. *rigor* + *tafel* table] (1889) : an Indonesian meal consisting of rice and a variety of accompanying dishes (as meat, seafood, and vegetables) — *see also* **new words**
Riks-mal or **Riks-maal** \rit'-ks-mäl' *n* [Norw. *fr. rik* kingdom + *mal* speech] (1913) : **BOOKMAIL** *n* (1889) : **MAIL** *n* (1889) — *see also* **new words**
rile \rit'-lē *v* (1913) : **rill** *n* [var. of *roll*] (1825) 1 : to make agitated and angry: **UPSET** 2 : ROLL 1 — *syn* see **IRRITATE** — *see also* **new words**
rill-ey \rit'-lēy *adj* (1805) 1 : **TURBID** 2 : **ANGRY** — *see also* **new words**
rill \rit'-lē *n* [D. *ril* or LG *rille*; akin to OHG *riwile*] (1538) : a very small brook — *see also* **new words**
rill *v* (1610) : to flow like a rill — *see also* **new words**
rill \rit'-lē or **rille** \rit'-lē *n* [G. *Rille*; lit. channel made by a small stream, fr. LG.] (1868) : any of several long narrow valleys on the moon's surface — *see also* **new words** — *see also* **new words**
rill-et \rit'-lēt' *n* (1538) : a little rill, esp. one that is crooked — *see also* **new words**
rill-lets \rit'-lets, -lēt' *n, pl* [F. *pl.* dim. of *rille*, sing., piece of pork, fr. MF, dial. var. of *relle* board, lath, fr. L *regula* straightened — more at **RULE**] (1889) : cooked shredded meat (as: pork or duck), or fish preserved in fat — *see also* **new words**
rim \rit'-m *n* [ME, fr. OE *rima*: skin to ON *rimi* strip of land] (13c) 1 : **BRINK** b : the outer often curved or circular edge or border of something 2 : a : the outer part of a wheel joined to the hub, usu. by spokes; b : a removable outer metal band on an automobile wheel to which the tire is attached 3 : **FRAME** 4 (1) — **rim-less** \rit'-lēs' *adj*
rim, vb rimmed; rim-ming *v* (1794) 1 : to serve as a rim for: **BORDER** (cliffs *rimming* the camp); 2 : to run around the rim of (putts that ~ the cup) — *vi* : to form or show a rim — *see also* **new words**
rim \rit'-m *n* [ME *rim*, fr. OE *hrim*: skin to ON *hrim* frost] (bef. 12c) 1 : **FROST** 1b, 2 : an accumulation of granular ice tufts on the windward sides of exposed objects that is formed from supercooled fog or cloud and built out directly against the wind 3 : **CRUST, INCrustATION** (a ~ of snow)
rim, vb rimmed; rim-ming *v* (ca. 1755) : to cover with or as if with rime — *see also* **new words**
rim, rime-star *n* of **RHYME, RHYMESTER**
rim-fire \rit'-fir', \rit'-fir *adj* (1868) : of a cartridge: having the priming distributed in the rim of the shell — **rimfire** *n*
rim-land \rit'-lānd' *n* (1944) : a region on the periphery of the heartland
rimmed \rit'-md' *adj* (1729) : having a rim — **usu**: used in combination (dark-rimmed glasses) (red-rimmed eyes)
rim-rock \rit'-rāk' *n* (1860) 1 : a top stratum or overlying strata of resistant rock of a plateau that outcrops to form a vertical face 2 : the edge or face of a rimrock outcrop
rimy \rit'-mē *adj* **rim-i-er**, **est** [OE *hrimig*, fr. *hrimi*] (bef. 12c) : covered with rime: **FROSTY**
ring \rit'-ind, **dial** \rit'-in' *n* [ME, fr. OE *ring* akin to OHG *ring* ring, OCS *križil* circle] (bef. 12c) 1 : a circular band for holding, connecting, hanging, pulling, packing, or sealing (a key ~) (a towel ~) 2 : a circlet usu. of precious metal worn on the finger 3 : a : a circular line, figure, or object (smoke ~) b : an encircling arrangement (a ~ of suburbs) c : a circular or spiral course often used in pl. in the phrase *run rings around* 4 : a (1) : an often circular space esp. for exhibitions or competitions; esp: such a space at a circus (2) : a structure containing such a ring b : a square enclosure in which boxers or wrestlers contest 5 : a band believed to be composed of rocky fragments revolving around a planet (as Saturn) 6 : **ANNUAL** *nino* 7 : a : an exclusive combination of persons for a selfish and often corrupt purpose (as to control a market) (a wheat ~) b : **GANG** 8 : the field of a political contest: **RACE** 9 : food in the shape of a circle 10 : an arrangement of atoms represented in formulas or models in a cyclic manner — called also **cycle** 11 : a set of mathematical elements that is closed under two binary operations of which the first forms a commutative group with the set and the second is associative over the set and is distributive with respect to the first operation 12, **pl**, a : a pair of usu. rubber-covered metal rings suspended from a ceiling or crossbar to a height of approximately eight feet above the floor and used for hanging, swinging, and balancing feats in gymnastics b : an event in gymnastics competition in which the rings are used 13 : **BOXING** (ended his ~ career) — **ring-like** \rit'-lik' *adj*
ring \rit'-ing, **ring-ing** \rit'-in'-g *v* (14c) 1 : to provide with a ring 2 : to place or form a ring around: **ENCIRCLE** (police ~ed the building) 3 : **CIRCLE** 2, 4 : to throw a ringer over (the peg) in a game (as horseshoes or quoits) ~ vi 1 a : to move in a ring, b : to rise in the air spirally 2 : to form or take the shape of a ring — *see also* **new words**

